

SENATOR BEYER: Senator Schmit, there doesn't seem to be a problem with it. Last year when we did this bill, the problem we had is that we did not put a bonding provision in there. The various rural senators here objected to the jailable offense part which we took out. He's not even listening.

SENATOR SCHMIT: Mr. President...

SENATOR BEYER: Senator Schmit is not even listening, so...

SENATOR SCHMIT: Well, I was listening to Senator Scofield, but I can listen with both ears, so let her fly, Senator.

SENATOR BEYER: But, anyhow, we took that part out. We did discuss with the Livestock Feeders, because of their concern on the livestock part. When we talked with the carrier enforcement officers, they said that the common sense policy already is in use, that if they are drastically overloaded, they are allowed to go ahead to the nearest sale barn and stuff, and that is on our in-state trucks. Now, that's not the out-of-state trucks, basically, but it's on the in-state trucks that they are allowed to go to the nearest sale barn and unload, you know, to care for those animals. And that is the policy that is in effect without this bill right now. So this bill does not change that portion of it. Does that answer your question any better?

SENATOR SCHMIT: Well, I know what you are intending to do, Senator, and I am in sympathy with you. I have no confidence in the common sense policy of the weight and measures folks of the Highway Patrol, after having watched them operate every year at harvest time when they line up 30 and 40 trucks to put them over the weighing scale and farmers are busy, so I am not going to be too much in reliance upon any common sense policy that they might have. They will be following the law. The law, I think, is what we have to depend upon. I do not know, number one, if it's possible to make this bill apply only to the out-of-state trucks. Number two, I do not know if it's possible to exempt the trucks that are overweight hauling livestock. Number three, I know one thing you can't legislate and that's common sense, and so I think we need to be serious...

SPEAKER BARRETT: One minute.

SENATOR SCHMIT: ...when we address the problem which you have and which needs to be addressed, but in the process of doing so that we do not make it almost impossible for us to operate here